

EXTENDING THE EXISTING AUTHORITY TO PROVIDE HOSPITAL
AND MEDICAL CARE FOR VETERANS WHO ARE U.S. CITIZENS
TEMPORARILY RESIDING ABROAD TO INCLUDE THOSE WITH
PEACETIME SERVICE-INCURRED DISABILITIES

JULY 15, 1959.—Ordered to be printed

Mr. YARBOROUGH, from the Committee on Labor and Public Welfare,
submitted the following

R E P O R T

[To accompany S. 1694]

The Committee on Labor and Public Welfare, to whom was referred the bill (S. 1694) to extend the existing authority to provide hospital and medical care for veterans who are U.S. citizens temporarily residing abroad to include those with peacetime service-incurred disabilities, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

EXPLANATION OF BILL

The bill (S. 1694) authorizes the Administrator of Veterans' Affairs to provide hospital care or medical services abroad to veterans who are "temporarily sojourning or residing abroad" and who require hospital care or medical treatment for peacetime service-incurred disabilities. Under existing law, with the exception of the Republic of the Philippines, hospital care and medical treatment may be furnished to veterans who are temporarily residing or sojourning abroad for war service-incurred disabilities only. In the Republic of the Philippines, the recently enacted Public Law 85-461 authorizes hospital and medical care for service-connected disabilities incurred in either peacetime or wartime service, and without regard to citizenship status or permanency of residence.

The new authority conferred on the Administrator by S. 1694 would be limited to citizens of the United States, as is now the case under existing law with respect to wartime veterans sojourning abroad.

Although the bill contains a reference to the "Republic of the Philippines," the bill would not change the substance of existing law regarding hospital and medical care in that country.

The Bureau of the Budget in reporting on this legislation noted that—

Since treatment of conditions resulting from a veteran's service has long been regarded as an obligation of the Federal Government, there appears to be little basis for distinguishing between service-incurred disabilities of veterans whose service is in peacetime and those whose service was during a war period insofar as hospital care and medical treatment are concerned.

The Veterans' Administration estimates that the cost of this legislation will be negligible, and recommends its enactment.

The Veterans' Administration and the Bureau of the Budget reported favorably as follows:

MARCH 26, 1959.

Hon. RICHARD M. NIXON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is transmitted herewith a draft of a bill to amend section 624 of the new title 38, United States Code, with the request that it be introduced in order that it may be considered for enactment.

The proposed bill would extend the authority of the Veterans' Administration to provide hospital and medical care abroad to include U.S. citizens temporarily residing abroad who require hospital care and medical treatment for peacetime service-incurred disabilities. At present, hospital care and medical services may be furnished to eligible veterans who are U.S. citizens temporarily residing or sojourning abroad for war service-incurred disabilities only, except in the Republic of the Philippines. In that country, the recently enacted Public Law 85-461 permits hospital and medical care for all eligible veterans without regard to citizenship status or permanency of residence for disabilities incurred in either peacetime or wartime service, and to a limited degree for non-service-connected disabilities.

Under the World War Veterans' Act, 1924, prior to its repeal by Public No. 2, 73d Congress, hospitalization was afforded American World War I veterans suffering from service-connected disabilities, residing abroad, in private institutions. The arrangements for such care were made by consular and other offices of the Department of State. Under the new program of benefits established pursuant to Public No. 2, no veteran could receive domiciliary, medical, or hospital care if he resided outside the continental limits of the United States, its Territories, or possessions.

The exception applicable to citizens temporarily residing abroad was enacted in 1940 upon the recommendation of the Veterans' Administration by Public No. 866, 76th Congress. It was designed to recognize the situation of certain veterans who were American citizens temporarily sojourning abroad and of others who from necessity rather than choice would be temporarily residing abroad in the promotion of American interests, official or otherwise. Special treatment of the Philippines was based on the historically close relationship between our two countries and the fact that many of those concerned began their residence there before that nation attained its independence.

After careful consideration, stimulated in part by our studies in connection with the bill which became Public Law 85-461, we now

believe that the distinction between peacetime and wartime service-incurred disabilities for this purpose is not warranted and that enactment of amendatory legislation to permit treatment of a disability attributable to peacetime service would be desirable. As time goes on, many of our veterans, including some war veterans, temporarily residing outside of the United States will be in need of treatment for a disability incurred as the result of service other than war service.

Treatment of ailments resulting from the veteran's service has long been regarded as a definite obligation of the Federal Government and is related in its purposes to another basic program of benefits—payment of monthly compensation. Disability compensation is, of course, payable for peacetime disabilities, although at a somewhat reduced rate, and its availability is not restricted to those residing in the United States.

Further, it is our understanding that Government civilian employees residing abroad and receiving compensation through the Bureau of Employees' Compensation are provided medical care by the United States for disabilities resulting from their employment. While there are some differences between the two programs, this is cited not only as bearing on the merits of this proposal, but also to demonstrate that there are no insuperable administrative difficulties involved in furnishing hospital care and medical services to the limited extent here proposed.

While it is impossible to estimate precisely the cost of extending hospital care and medical services for peacetime service-connected disabilities to veterans temporarily residing in foreign countries, we estimate that in the foreseeable future such cost would be less than \$10,000 per year.

Advice has been received from the Bureau of the Budget that there is no objection to the presentation of the proposed legislation to the Congress.

Sincerely yours,

SUMNER G. WHITTIER, *Administrator.*

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., April 29, 1959.

Hon. LISTER HILL,
Chairman, Committee on Labor and Public Welfare,
U.S. Senate, Washington, D.C.

MY DEAR MR. CHAIRMAN: This will acknowledge your letter of April 17, 1959, requesting the views of the Bureau of the Budget regarding S. 1694, a bill to extend the existing authority to provide hospital and medical care for veterans who are U.S. citizens temporarily residing abroad to include those with peacetime service-incurred disabilities.

The purpose of S. 1694, as its title indicates, is to make peacetime veterans who are U.S. citizens and who have service-incurred disabilities eligible for hospital care and medical services if they are temporarily residing abroad. At the present time hospital care and medical services may be furnished to veterans who are U.S. citizens when they are temporarily residing or sojourning abroad only for war service-incurred disabilities except in the Republic of the Philippines. In that country no distinction is made as to citizenship status or permanence of residence.

Since treatment of conditions resulting from a veteran's service has long been regarded as an obligation of the Federal Government, there appears to be little basis for distinguishing between service-incurred disabilities of veterans whose service is in peacetime and those whose service was during a war period insofar as hospital care and medical treatment are concerned. Accordingly, the Bureau of the Budget would not object to the enactment of S. 1694.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

CHANGES IN EXISTING LAW

In compliance with subsection 4 of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

TITLE 38 VETERANS' BENEFITS

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CHAPTER 17—HOSPITAL, DOMICILIARY, AND MEDICAL CARE

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Subchapter III—Miscellaneous Provisions Relating to Hospital Care and Medical Treatment of Veterans

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§ 624. Hospital care and medical services abroad

(a) Except as provided in subsections (b) and (c), the Administrator shall not furnish hospital or domiciliary care or medical services outside the continental limits of the United States, or a Territory, Commonwealth, or possession of the United States.

[(b) The Administrator may furnish necessary hospital care and medical services for any service-connected disability—

(1) if incurred during a period of war, to any veteran who is a citizen of the United States temporarily sojourning or residing abroad except in the Republic of the Philippines; or

(2) whenever incurred, to any otherwise eligible veteran in the Republic of the Philippines.]

(b) *The Administrator may furnish necessary hospital care and medical services to any otherwise eligible veteran for any service-connected disability if the veteran (1) is a citizen of the United States temporarily sojourning or residing abroad, or (2) is in the Republic of the Philippines.*

(c) Within the limits of those facilities of the Veterans Memorial Hospital at Manila, Republic of the Philippines, for which the Administrator may contract, he may furnish necessary hospital care to a veteran of any war for any non-service-connected disability if such veteran is unable to defray the expenses of necessary hospital care. The Administrator may enter into contracts to carry out this section.

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